

EFFECT:

- Changes references to counselors in the prototypical school model from "Guidance counselors, a function that includes parent outreach and graduation advising" to the new title of "School counselors addressing academic, career development, and social and emotional needs."
- Allows school districts to use allocations provided for physical, social, and emotional support staff for salaries and benefits of those contracted to serve as physical, social, and emotional support staff.

1 AN ACT Relating to prototypical school formulas for physical,
2 social, and emotional support in schools; amending RCW 28A.400.007;
3 reenacting and amending RCW 28A.150.260 and 28A.150.260; providing
4 effective dates; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are
7 each reenacted and amended to read as follows:

8 The purpose of this section is to provide for the allocation of
9 state funding that the legislature deems necessary to support school
10 districts in offering the minimum instructional program of basic
11 education under RCW 28A.150.220. The allocation shall be determined
12 as follows:

13 (1) The governor shall and the superintendent of public
14 instruction may recommend to the legislature a formula for the
15 distribution of a basic education instructional allocation for each
16 common school district.

17 (2)(a) The distribution formula under this section shall be for
18 allocation purposes only. Except as may be required under subsections
19 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
20 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
21 this section requires school districts to use basic education

1 instructional funds to implement a particular instructional approach
2 or service. Nothing in this section requires school districts to
3 maintain a particular classroom teacher-to-student ratio or other
4 staff-to-student ratio or to use allocated funds to pay for
5 particular types or classifications of staff. Nothing in this section
6 entitles an individual teacher to a particular teacher planning
7 period.

8 (b) To promote transparency in state funding allocations, the
9 superintendent of public instruction must report state per-pupil
10 allocations for each school district for the general apportionment,
11 special education, learning assistance, transitional bilingual,
12 highly capable, and career and technical education programs. The
13 superintendent must report this information in a user-friendly format
14 on the main page of the office's website. School districts must
15 include a link to the superintendent's per-pupil allocations report
16 on the main page of the school district's website. In addition, the
17 budget documents published by the legislature for the enacted omnibus
18 operating appropriations act must report statewide average per-pupil
19 allocations for general apportionment and the categorical programs
20 listed in this subsection.

21 (3)(a) To the extent the technical details of the formula have
22 been adopted by the legislature and except when specifically provided
23 as a school district allocation, the distribution formula for the
24 basic education instructional allocation shall be based on minimum
25 staffing and nonstaff costs the legislature deems necessary to
26 support instruction and operations in prototypical schools serving
27 high, middle, and elementary school students as provided in this
28 section. The use of prototypical schools for the distribution formula
29 does not constitute legislative intent that schools should be
30 operated or structured in a similar fashion as the prototypes.
31 Prototypical schools illustrate the level of resources needed to
32 operate a school of a particular size with particular types and grade
33 levels of students using commonly understood terms and inputs, such
34 as class size, hours of instruction, and various categories of school
35 staff. It is the intent that the funding allocations to school
36 districts be adjusted from the school prototypes based on the actual
37 number of annual average full-time equivalent students in each grade
38 level at each school in the district and not based on the grade-level
39 configuration of the school to the extent that data is available. The
40 allocations shall be further adjusted from the school prototypes with

minimum allocations for small schools and to reflect other factors identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has six hundred average annual full-time equivalent students in grades nine through twelve;

(ii) A prototypical middle school has four hundred thirty-two average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has four hundred average annual full-time equivalent students in grades kindergarten through six.

(4)(a)(i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

	General education average class size
Grades K-3.	17.00
Grade 4.	27.00
Grades 5-6.	27.00
Grades 7-8.	28.53
Grades 9-12.	28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through twelve per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
Grades 9-12.	19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(ii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4)(b).

(c)(i) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level.	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction.	((20.00)) 19.00

(ii) Funding allocated under this subsection (4)(c) is subject to RCW 28A.150.265.

(d) In addition, the omnibus appropriations act shall at a minimum specify:

(i) A high-poverty average class size in schools where more than fifty percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for advanced placement and international baccalaureate courses.

(5)(a) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers, except as provided in (b) of this subsection:

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators.	1.253	1.353	1.880
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs.	0.663	0.519	0.523

((Health and social services:

School nurses.....	0.076	0.060	0.096
Social workers.....	0.042	0.006	0.015
Psychologists.....	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising.....	0.493	1.216	2.539))
Teaching assistance, including any aspect of educational instructional services provided by classified employees.	0.936	0.700	0.652
Office support and other noninstructional aides.	2.012	2.325	3.269
Custodians.	1.657	1.942	2.965
<u>Physical, social, and emotional support staff:</u>			
School nurses.....	0.246	0.336	0.339
Social workers.....	0.311	0.088	0.127
Psychologists.....	0.104	0.024	0.049
School counselors addressing academic, career development, and social and emotional needs.	0.993	1.716	3.039
Classified staff providing student and staff safety.	0.079	0.092	0.141
Parent involvement coordinators.	0.0825	0.00	0.00

(b) (i) School districts may use allocations provided for physical, social, and emotional support staff in this subsection (5), which includes school nurses, social workers, psychologists, school counselors addressing academic, career development, and social and emotional needs, classified staff providing student and staff safety, and parent involvement coordinators, only for salaries and benefits for staff employed or contracted to serve as physical, social, and emotional support staff.

(ii) For the 2023-24 school year, in addition to the minimum allocation under (a) of this subsection, the following additional staffing units for each level of prototypical school will be provided for school nurses:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
School nurses.....	0.170	0.276	0.243

(6) (a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one

thousand annual average full-time equivalent students in grades K-12 as follows:

	Staff per 1,000 K-12 students
Technology.	0.628
Facilities, maintenance, and grounds.	1.813
Warehouse, laborers, and mechanics.	0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8)(a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs as provided in the 2017-18 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
Technology.	\$130.76
Utilities and insurance.	\$355.30
Curriculum and textbooks.	\$140.39
Other supplies	\$278.05
Library materials.	\$20.00
Instructional professional development for certificated and classified staff.	\$21.71
Facilities maintenance.	\$176.01
Security and central office administration.	\$121.94

(b) In addition to the amounts provided in (a) of this subsection, beginning in the 2014-15 school year, the omnibus appropriations act shall provide the following minimum allocation for each annual average full-time equivalent student in grades nine

through twelve for the following materials, supplies, and operating costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
Technology.	\$36.35
Curriculum and textbooks.	\$39.02
Other supplies	\$77.28
Library materials.	\$5.56
Instructional professional development for certificated and classified staff.	\$6.04

(9) In addition to the amounts provided in subsection (8) of this section and subject to RCW 28A.150.265, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

(a) Exploratory career and technical education courses for students in grades seven through twelve;

(b) Preparatory career and technical education courses for students in grades nine through twelve offered in a high school; and

(c) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center.

(10) In addition to the allocations otherwise provided under this section, amounts shall be provided to support the following programs and services:

(a)(i) To provide supplemental instruction and services for students who are not meeting academic standards through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the greater of either: The district percentage of students in kindergarten through grade twelve who were eligible for free or reduced-price meals for the school year immediately preceding the district's participation, in whole or part, in the United States department of agriculture's community eligibility provision, or the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall provide for each level of prototypical school resources to provide, on a statewide average, 2.3975 hours per week in extra instruction with a class size of fifteen learning assistance program students per teacher.

1 (ii) In addition to funding allocated under (a)(i) of this
2 subsection, to provide supplemental instruction and services for
3 students who are not meeting academic standards in qualifying
4 schools. A qualifying school means a school in which the three-year
5 rolling average of the prior year total annual average enrollment
6 that qualifies for free or reduced-price meals equals or exceeds
7 fifty percent or more of its total annual average enrollment. A
8 school continues to meet the definition of a qualifying school if the
9 school: Participates in the United States department of agriculture's
10 community eligibility provision; and met the definition of a
11 qualifying school in the year immediately preceding their
12 participation. The minimum allocation for this additional high
13 poverty-based allocation must provide for each level of prototypical
14 school resources to provide, on a statewide average, 1.1 hours per
15 week in extra instruction with a class size of fifteen learning
16 assistance program students per teacher, under RCW 28A.165.055,
17 school districts must distribute the high poverty-based allocation to
18 the schools that generated the funding allocation.

19 (b)(i) To provide supplemental instruction and services for
20 students whose primary language is other than English, allocations
21 shall be based on the head count number of students in each school
22 who are eligible for and enrolled in the transitional bilingual
23 instruction program under RCW 28A.180.010 through 28A.180.080. The
24 minimum allocation for each level of prototypical school shall
25 provide resources to provide, on a statewide average, 4.7780 hours
26 per week in extra instruction for students in grades kindergarten
27 through six and 6.7780 hours per week in extra instruction for
28 students in grades seven through twelve, with fifteen transitional
29 bilingual instruction program students per teacher. Notwithstanding
30 other provisions of this subsection (10), the actual per-student
31 allocation may be scaled to provide a larger allocation for students
32 needing more intensive intervention and a commensurate reduced
33 allocation for students needing less intensive intervention, as
34 detailed in the omnibus appropriations act.

35 (ii) To provide supplemental instruction and services for
36 students who have exited the transitional bilingual program,
37 allocations shall be based on the head count number of students in
38 each school who have exited the transitional bilingual program within
39 the previous two years based on their performance on the English
40 proficiency assessment and are eligible for and enrolled in the

1 transitional bilingual instruction program under RCW
2 28A.180.040(1)(g). The minimum allocation for each prototypical
3 school shall provide resources to provide, on a statewide average,
4 3.0 hours per week in extra instruction with fifteen exited students
5 per teacher.

6 (c) To provide additional allocations to support programs for
7 highly capable students under RCW 28A.185.010 through 28A.185.030,
8 allocations shall be based on 5.0 percent of each school district's
9 full-time equivalent basic education enrollment. The minimum
10 allocation for the programs shall provide resources to provide, on a
11 statewide average, 2.1590 hours per week in extra instruction with
12 fifteen highly capable program students per teacher.

13 (11) The allocations under subsections (4)(a), (5), (6), and (8)
14 of this section shall be enhanced as provided under RCW 28A.150.390
15 on an excess cost basis to provide supplemental instructional
16 resources for students with disabilities.

17 (12)(a) For the purposes of allocations for prototypical high
18 schools and middle schools under subsections (4) and (10) of this
19 section that are based on the percent of students in the school who
20 are eligible for free and reduced-price meals, the actual percent of
21 such students in a school shall be adjusted by a factor identified in
22 the omnibus appropriations act to reflect underreporting of free and
23 reduced-price meal eligibility among middle and high school students.

24 (b) Allocations or enhancements provided under subsections (4),
25 (7), and (9) of this section for exploratory and preparatory career
26 and technical education courses shall be provided only for courses
27 approved by the office of the superintendent of public instruction
28 under chapter 28A.700 RCW.

29 (13)(a) This formula for distribution of basic education funds
30 shall be reviewed biennially by the superintendent and governor. The
31 recommended formula shall be subject to approval, amendment or
32 rejection by the legislature.

33 (b) In the event the legislature rejects the distribution formula
34 recommended by the governor, without adopting a new distribution
35 formula, the distribution formula for the previous school year shall
36 remain in effect.

37 (c) The enrollment of any district shall be the annual average
38 number of full-time equivalent students and part-time students as
39 provided in RCW 28A.150.350, enrolled on the first school day of each
40 month, including students who are in attendance pursuant to RCW

1 28A.335.160 and 28A.225.250 who do not reside within the servicing
2 school district. The definition of full-time equivalent student shall
3 be determined by rules of the superintendent of public instruction
4 and shall be included as part of the superintendent's biennial budget
5 request. The definition shall be based on the minimum instructional
6 hour offerings required under RCW 28A.150.220. Any revision of the
7 present definition shall not take effect until approved by the house
8 ways and means committee and the senate ways and means committee.

9 (d) The office of financial management shall make a monthly
10 review of the superintendent's reported full-time equivalent students
11 in the common schools in conjunction with RCW 43.62.050.

12 **Sec. 2.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are
13 each reenacted and amended to read as follows:

14 The purpose of this section is to provide for the allocation of
15 state funding that the legislature deems necessary to support school
16 districts in offering the minimum instructional program of basic
17 education under RCW 28A.150.220. The allocation shall be determined
18 as follows:

19 (1) The governor shall and the superintendent of public
20 instruction may recommend to the legislature a formula for the
21 distribution of a basic education instructional allocation for each
22 common school district.

23 (2)(a) The distribution formula under this section shall be for
24 allocation purposes only. Except as may be required under subsections
25 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
26 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
27 this section requires school districts to use basic education
28 instructional funds to implement a particular instructional approach
29 or service. Nothing in this section requires school districts to
30 maintain a particular classroom teacher-to-student ratio or other
31 staff-to-student ratio or to use allocated funds to pay for
32 particular types or classifications of staff. Nothing in this section
33 entitles an individual teacher to a particular teacher planning
34 period.

35 (b) To promote transparency in state funding allocations, the
36 superintendent of public instruction must report state per-pupil
37 allocations for each school district for the general apportionment,
38 special education, learning assistance, transitional bilingual,
39 highly capable, and career and technical education programs. The

1 superintendent must report this information in a user-friendly format
2 on the main page of the office's website. School districts must
3 include a link to the superintendent's per-pupil allocations report
4 on the main page of the school district's website. In addition, the
5 budget documents published by the legislature for the enacted omnibus
6 operating appropriations act must report statewide average per-pupil
7 allocations for general apportionment and the categorical programs
8 listed in this subsection.

9 (3)(a) To the extent the technical details of the formula have
10 been adopted by the legislature and except when specifically provided
11 as a school district allocation, the distribution formula for the
12 basic education instructional allocation shall be based on minimum
13 staffing and nonstaff costs the legislature deems necessary to
14 support instruction and operations in prototypical schools serving
15 high, middle, and elementary school students as provided in this
16 section. The use of prototypical schools for the distribution formula
17 does not constitute legislative intent that schools should be
18 operated or structured in a similar fashion as the prototypes.
19 Prototypical schools illustrate the level of resources needed to
20 operate a school of a particular size with particular types and grade
21 levels of students using commonly understood terms and inputs, such
22 as class size, hours of instruction, and various categories of school
23 staff. It is the intent that the funding allocations to school
24 districts be adjusted from the school prototypes based on the actual
25 number of annual average full-time equivalent students in each grade
26 level at each school in the district and not based on the grade-level
27 configuration of the school to the extent that data is available. The
28 allocations shall be further adjusted from the school prototypes with
29 minimum allocations for small schools and to reflect other factors
30 identified in the omnibus appropriations act.

31 (b) For the purposes of this section, prototypical schools are
32 defined as follows:

33 (i) A prototypical high school has six hundred average annual
34 full-time equivalent students in grades nine through twelve;

35 (ii) A prototypical middle school has four hundred thirty-two
36 average annual full-time equivalent students in grades seven and
37 eight; and

38 (iii) A prototypical elementary school has four hundred average
39 annual full-time equivalent students in grades kindergarten through
40 six.

(4)(a)(i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

	General education average class size
Grades K-3.	17.00
Grade 4.	27.00
Grades 5-6.	27.00
Grades 7-8.	28.53
Grades 9-12.	28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through twelve per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
Grades 9-12.	19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(ii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4)(b).

(c)(i) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

Career and technical
education average

1 class size

2 Approved career and technical education offered at

3 the middle school and high school level. 23.00

4 Skill center programs meeting the standards established

5 by the office of the superintendent of public

6 instruction. ((20.00)) 19.00

7 (ii) Funding allocated under this subsection (4)(c) is subject to

8 RCW 28A.150.265.

9 (d) In addition, the omnibus appropriations act shall at a

10 minimum specify:

11 (i) A high-poverty average class size in schools where more than

12 fifty percent of the students are eligible for free and reduced-price

13 meals; and

14 (ii) A specialty average class size for advanced placement and

15 international baccalaureate courses.

16 (5)(a) The minimum allocation for each level of prototypical

17 school shall include allocations for the following types of staff in

18 addition to classroom teachers, except as provided in (b) of this

19 subsection:

	Elementary School	Middle School	High School
22 Principals, assistant principals, and other certificated building-level			
23 administrators.	1.253	1.353	1.880
24 Teacher-librarians, a function that includes information literacy, technology,			
25 and media to support school library media programs.	0.663	0.519	0.523
26 ((Health and social services:			
27 School nurses.	0.076	0.060	0.096
28 Social workers.	0.042	0.006	0.015
29 Psychologists.	0.017	0.002	0.007
30 Guidance counselors, a function that includes parent outreach and graduation			
31 advising.	0.493	1.216	2.539))
32 Teaching assistance, including any aspect of educational instructional services			
33 provided by classified employees.	0.936	0.700	0.652
34 Office support and other noninstructional aides.	2.012	2.325	3.269
35 Custodians.	1.657	1.942	2.965
36 <u>Physical, social, and emotional support staff:</u>			

School nurses.	0.585	0.888	0.824
Social workers.	0.311	0.088	0.127
Psychologists.	0.104	0.024	0.049
School counselors addressing academic, career development, and social and emotional needs.	0.993	1.716	3.039
Classified staff providing student and staff safety.	0.079	0.092	0.141
Parent involvement coordinators.	0.0825	0.00	0.00

(b) School districts may use allocations provided for physical, social, and emotional support staff in this subsection (5), which includes school nurses, social workers, psychologists, school counselors addressing academic, career development, and social and emotional needs, classified staff providing student and staff safety, and parent involvement coordinators, only for salaries and benefits for staff employed or contracted to serve as physical, social, and emotional support staff.

(6) (a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one thousand annual average full-time equivalent students in grades K-12 as follows:

	Staff per 1,000 K-12 students
Technology.	0.628
Facilities, maintenance, and grounds.	1.813
Warehouse, laborers, and mechanics.	0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4) (a) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8) (a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs as provided in the 2017-18

1 school year, after which the allocations shall be adjusted annually
2 for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
3 Technology.	\$130.76
4 Utilities and insurance.	\$355.30
5 Curriculum and textbooks.	\$140.39
6 Other supplies	\$278.05
7 Library materials.	\$20.00
8 Instructional professional development for certificated and 9 classified staff.	\$21.71
10 Facilities maintenance.	\$176.01
11 Security and central office administration.	\$121.94

12 (b) In addition to the amounts provided in (a) of this
13 subsection, beginning in the 2014-15 school year, the omnibus
14 appropriations act shall provide the following minimum allocation for
15 each annual average full-time equivalent student in grades nine
16 through twelve for the following materials, supplies, and operating
17 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
18 Technology.	\$36.35
19 Curriculum and textbooks.	\$39.02
20 Other supplies	\$77.28
21 Library materials.	\$5.56
22 Instructional professional development for certificated and 23 classified staff.	\$6.04

24 (9) In addition to the amounts provided in subsection (8) of this
25 section and subject to RCW 28A.150.265, the omnibus appropriations
26 act shall provide an amount based on full-time equivalent student
27 enrollment in each of the following:

28 (a) Exploratory career and technical education courses for
29 students in grades seven through twelve;

30 (b) Preparatory career and technical education courses for
31 students in grades nine through twelve offered in a high school; and
32

1 (c) Preparatory career and technical education courses for
2 students in grades eleven and twelve offered through a skill center.

3 (10) In addition to the allocations otherwise provided under this
4 section, amounts shall be provided to support the following programs
5 and services:

6 (a)(i) To provide supplemental instruction and services for
7 students who are not meeting academic standards through the learning
8 assistance program under RCW 28A.165.005 through 28A.165.065,
9 allocations shall be based on the greater of either: The district
10 percentage of students in kindergarten through grade twelve who were
11 eligible for free or reduced-price meals for the school year
12 immediately preceding the district's participation, in whole or part,
13 in the United States department of agriculture's community
14 eligibility provision, or the district percentage of students in
15 grades K-12 who were eligible for free or reduced-price meals in the
16 prior school year. The minimum allocation for the program shall
17 provide for each level of prototypical school resources to provide,
18 on a statewide average, 2.3975 hours per week in extra instruction
19 with a class size of fifteen learning assistance program students per
20 teacher.

21 (ii) In addition to funding allocated under (a)(i) of this
22 subsection, to provide supplemental instruction and services for
23 students who are not meeting academic standards in qualifying
24 schools. A qualifying school means a school in which the three-year
25 rolling average of the prior year total annual average enrollment
26 that qualifies for free or reduced-price meals equals or exceeds
27 fifty percent or more of its total annual average enrollment. A
28 school continues to meet the definition of a qualifying school if the
29 school: Participates in the United States department of agriculture's
30 community eligibility provision; and met the definition of a
31 qualifying school in the year immediately preceding their
32 participation. The minimum allocation for this additional high
33 poverty-based allocation must provide for each level of prototypical
34 school resources to provide, on a statewide average, 1.1 hours per
35 week in extra instruction with a class size of fifteen learning
36 assistance program students per teacher, under RCW 28A.165.055,
37 school districts must distribute the high poverty-based allocation to
38 the schools that generated the funding allocation.

39 (b)(i) To provide supplemental instruction and services for
40 students whose primary language is other than English, allocations

shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction for students in grades kindergarten through six and 6.7780 hours per week in extra instruction for students in grades seven through twelve, with fifteen transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

(ii) To provide supplemental instruction and services for students who have exited the transitional bilingual program, allocations shall be based on the head count number of students in each school who have exited the transitional bilingual program within the previous two years based on their performance on the English proficiency assessment and are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.040(1)(g). The minimum allocation for each prototypical school shall provide resources to provide, on a statewide average, 3.0 hours per week in extra instruction with fifteen exited students per teacher.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on 5.0 percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, 2.1590 hours per week in extra instruction with fifteen highly capable program students per teacher.

(11) The allocations under subsections (4)(a), (5), (6), and (8) of this section shall be enhanced as provided under RCW 28A.150.390 on an excess cost basis to provide supplemental instructional resources for students with disabilities.

(12)(a) For the purposes of allocations for prototypical high schools and middle schools under subsections (4) and (10) of this section that are based on the percent of students in the school who are eligible for free and reduced-price meals, the actual percent of

1 such students in a school shall be adjusted by a factor identified in
2 the omnibus appropriations act to reflect underreporting of free and
3 reduced-price meal eligibility among middle and high school students.

4 (b) Allocations or enhancements provided under subsections (4),
5 (7), and (9) of this section for exploratory and preparatory career
6 and technical education courses shall be provided only for courses
7 approved by the office of the superintendent of public instruction
8 under chapter 28A.700 RCW.

9 (13)(a) This formula for distribution of basic education funds
10 shall be reviewed biennially by the superintendent and governor. The
11 recommended formula shall be subject to approval, amendment or
12 rejection by the legislature.

13 (b) In the event the legislature rejects the distribution formula
14 recommended by the governor, without adopting a new distribution
15 formula, the distribution formula for the previous school year shall
16 remain in effect.

17 (c) The enrollment of any district shall be the annual average
18 number of full-time equivalent students and part-time students as
19 provided in RCW 28A.150.350, enrolled on the first school day of each
20 month, including students who are in attendance pursuant to RCW
21 28A.335.160 and 28A.225.250 who do not reside within the servicing
22 school district. The definition of full-time equivalent student shall
23 be determined by rules of the superintendent of public instruction
24 and shall be included as part of the superintendent's biennial budget
25 request. The definition shall be based on the minimum instructional
26 hour offerings required under RCW 28A.150.220. Any revision of the
27 present definition shall not take effect until approved by the house
28 ways and means committee and the senate ways and means committee.

29 (d) The office of financial management shall make a monthly
30 review of the superintendent's reported full-time equivalent students
31 in the common schools in conjunction with RCW 43.62.050.

32 **Sec. 3.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each
33 amended to read as follows:

34 (1) In addition to the staffing units in RCW 28A.150.260, the
35 superintendent of public instruction must provide school districts
36 with allocations for the following staff units if and to the extent
37 that funding is specifically appropriated and designated for that
38 category of staffing unit in the omnibus operating appropriations
39 act.

(a) Additional staffing units for each level of prototypical school in RCW 28A.150.260:

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators.	0.0470	0.0470	0.0200
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs.	0.3370	0.4810	0.4770
((Health and social services:			
School nurses.	0.5090	0.8280	0.7280
Social workers.	0.2690	0.0820	0.1120
Psychologists.	0.0870	0.0220	0.0420
Guidance counselors, a function that includes parent outreach and graduation advising.	0.0070	0.7840	0.9610))
Teaching assistance, including any aspect of educational instructional services provided by classified employees.	1.0640	0.3000	0.3480
Office support and other noninstructional aides.	0.9880	1.1750	0.2310
Custodians.	0.0430	0.0580	0.0350
<u>Physical, social, and emotional support staff:</u>			
Classified staff providing student and staff safety.	0.0000	0.6080	1.1590
Parent involvement coordinators.	0.9175	1.0000	1.0000

(b) Additional certificated instructional staff units sufficient to achieve the following reductions in class size in each level of prototypical school under RCW 28A.150.260:

	General education certificated instructional staff units sufficient to achieve class size reduction of:
Grades K-3 class size.	0.00
Grade 4.	2.00
Grades 5-6.	2.00
Grades 7-8.	3.53
Grades 9-12.	3.74
CTE.	4.00
Skills.	((4.00)) <u>3.00</u>

High poverty
certificated instructional
staff units sufficient to
achieve class size reduction of:

Grades K-3 class size.	2.00
Grade 4.	5.00
Grades 5-6.	4.00
Grades 7-8.	5.53
Grades 9-12.	5.74

(2) The staffing units in subsection (1) of this section are an enrichment to and are beyond the state's statutory program of basic education in RCW 28A.150.220 and 28A.150.260. However, if and to the extent that any of these additional staffing units are funded by specific reference to this section in the omnibus operating appropriations act, those units become part of prototypical school funding formulas and a component of the state funding that the legislature deems necessary to support school districts in offering the statutory program of basic education under Article IX, section 1 of the state Constitution.

NEW SECTION. **Sec. 4.** Section 1 of this act takes effect
September 1, 2022.

NEW SECTION. **Sec. 5.** Section 1 of this act expires September 1, 2024.

NEW SECTION. **Sec. 6.** Sections 2 and 3 of this act take effect September 1, 2024.

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